

**First Amendment to First Accounting and Report of Trustee and Petition for Its
Approval; and for Allowance of Fees and Costs [Prob. C. 17200(b)(5)(9)]**

Age:		PUBLIC GUARDIAN , Trustee, is Petitioner. Account period: 8-2-11 through 3-25-13 Accounting: \$ 257,890.47 Beginning POH: \$ 84,600.00 Ending POH: \$ 176,608.76 (\$92,008.76 cash plus real property) Trustee: \$2,704.24 (\$1,982.24 plus bond fee of \$722, per declaration) Attorney: \$7,645.00 (\$7,210.00 plus filing fee \$435.00, per declaration) Petitioner prays for an Order: 1. Settling and allowing the account and report and approving and confirming the acts of Petitioner while acting as trustee for the trust for the accounting period 8-2-11 through 3-25-13; 2. Authorizing payment of the attorney fees and costs (see above); 3. Authorizing payment of the trustee fees and costs (see above); 4. Authorizing and directing Petitioner to turn over and release the balance of the assets in the trust to Monte S. Day as Trustee; and 5. For such other orders as the Court may deem proper.	NEEDS/PROBLEMS/COMMENTS:	
DOB:				
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<input type="checkbox"/>	Aff.Sub.Wit.			
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Reviewed by: skc Reviewed on: 7-10-13 Updates: Recommendation: File 1 – Day				

(1) First and Final Account and Report of Personal Representative, Petition for Settlement, (2) for Allowance of Statutory and Extraordinary Commissions, (3) Attorneys' Fees for Ordinary and Extraordinary Services, Costs, and (4) for Final Distribution [Prob. C. 1060 et seq, 10800, 10951, 11000, 11600-11603, & C.R.C. Rules 7.702-7.703]

DOD: 3/15/2011		TIMOTHY JOHNSON , Administrator with Will Annexed, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Summary of accounts includes the reappraisal value of the property instead of the property value at the date of death (\$145,000.00 inventory and appraisal value). Probate Code §1061. 2. Petition states the proceeds from the sale of the real property was held in the Attorney's Trust Account. Probate Code §9652 (a) requires the personal representative to keep all cash in his or her possession invested in interest-bearing accounts or other investments authorized by law except for the amount of cash that is reasonably necessary for orderly administration of the estate. 3. Two of the estate's beneficiaries are minors. Petition proposes to distribute the funds to their father Timothy Johnson for their benefit to be held in blocked accounts until they reach the age of 18. Need blocking orders.
		Account period: 3/15/11 – 6/4/13	
Cont. from		Accounting - \$113,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$145,000.00	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$ 95,907.69	
<input checked="" type="checkbox"/>	Inventory	Administrator (statutory) - \$4,390.00	
<input checked="" type="checkbox"/>	PTC	Administrator X/O (per Local Rule for sale of real property) - \$1,000.00	
<input checked="" type="checkbox"/>	Not.Cred.	Attorney (statutory) - \$4,390.00	
<input checked="" type="checkbox"/>	Notice of Hrg	Attorney X/O (13.5 hours @ \$200 per hours for attorney time and 7.5 hours @ \$100 per hour for paralegal time for the search for another administrator with original petitioner left the State after filing and could not be bonded and for the sale of real property.) - \$3,450.00	
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<input checked="" type="checkbox"/>	9202	Costs - \$3,068.25	
<input checked="" type="checkbox"/>	Order	(filing fees, Recorder, Probate Referee, Publication, Bond, Title Report)	
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Please see additional page			Reviewed by: KT Reviewed on: 7/11/2013 Updates: Recommendation: File 2 – Johnson

Distribution, pursuant to Decedent's Will, is to:

Chauncy Gardner	-	\$ 1,000.00
Christopher Dowdy	-	\$19,652.36
Gregory Dowdy	-	\$19,652.36
Melissa Johnson Locke	-	\$ 6,550.79
Paul Johnson	-	\$ 6,550.79
Eric Johnson	-	\$ 6,550.79
To Timothy Johnson in Trust for:		
Marshall Johnson	-	\$ 9,826.18
Kimberly Johnson	-	\$ 9,826.18

Note: If the petition is granted a status hearing will be set as follows:

- **Friday, August 9, 2013** at 9:00 a.m. in Department 303, for the filing of the receipts for blocked accounts.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

3 Janet Rae Scott (Estate)

Case No. 11CEPR00942

Atty Burnside, Leigh W. (for Public Administrator – Petitioner)

Petition for Approval of Settlement of Dispute [Prob. C. 7600 et seq., 9832, 9837]

Age:			NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED TO 08/02/13</u> Per Minute Order dated 06/14/13 upon the request of counsel	
DOD:				
Cont. from				
	Aff.Sub.Wit.			
	Verified			
	Inventory			
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	FTB Notice			
Reviewed by: JF				
Reviewed on: 07/10/13				
Updates:				
Recommendation:				
File 3 – Scott				

Probate Status Hearing Re: (1) Failure to file Inventory and Appraisal; (2) Failure to file a First Account or Petition for Final Distribution (Prob. C. §12200, et seq.)

DOD: 10/22/10		<p>LEANNE WALKER GRANT, niece, was appointed Administrator with Full IAEA and bond set at \$7,000,000.00 on 03/12/12.</p> <p>Letters of Administration were issued on 05/16/12.</p> <p>Notice of Status Hearing filed 05/01/13 set this matter for Status regarding filing of an Inventory & Appraisal and filing of the Accounting and/or Petition for Final Distribution. Clerk's certificate of mailing filed 05/01/13 states that a copy of the Notice of Status Hearing was mailed to attorneys Craig Houghton and Mark Poochigian on 05/01/13.</p> <p>Status Hearing filed 06/13/13 states: Petitioner intends to file a petition for a significant preliminary distribution shortly after receipt of the Inventory & Appraisal from the probate referee. Petitioner requests a continuance of the status hearing for 6 months.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Inventory & Appraisal and Final Account and/or Petition for Final Distribution <u>or</u> current written status report pursuant to Local Rule 7.5, which states: In all matters set for status hearing, verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from 061413			
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		Reviewed by: JF	
		Reviewed on: 07/10/13	
		Updates:	
		Recommendation:	
		File 4A - Lowery	

DOD: 10/22/10		<p>LEANNE WALKER GRANT, niece, is Petitioner and was appointed Administrator with Full IAEA and bond set at \$7,000,000.00 on 03/12/12.</p> <p>Letters of Administration were issued on 05/16/12.</p> <p>Petitioner states:</p> <ol style="list-style-type: none"> 1. The Inventory & Appraisal of the estate has been mailed to the Probate Referee and will be filed as soon as it is received back from the referee. 2. The estate owns real property that is within the territorial boundaries of the Table Mountain Rancheria. Due to the number of intestate heirs (74), this property must be sold. All properties located on the Rancheria are not entitled to access the Tribe's infrastructural facilities as a matter of right and consent to use those facilities must be obtained from the Tribal Council. Petitioner is working with the Tribal Council regarding use of the Tribe's infrastructural facilities by prospective buyers. 3. The estate owns real property in Oregon. Petitioner has contacted counsel in Oregon regarding commencing an ancillary probate administration in Oregon. 4. The Decedent died intestate and was not survived by issue or a parent. According to Petitioner's calculations, there are 74 intestate heirs of the Decedent. Many of whom are not personally known to Petitioner. Given the uncertainty resulting from the number of known intestate heirs and their remoteness of relation from the Decedent, Petitioner requests an Order determining those persons who are entitled to distribution of the estate. The names, addresses and relationship of the heirs of the Decedent and of all persons entitled to notice, as far as known to the Petitioner, along with their respective estate shares are listed as Exhibit A to the Petition. <p>Continued on Page 2</p>	NEEDS/PROBLEMS/COMMENTS:
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✓	FTB Notice		

5. Daniel Carmen, nephew of the Decedent died 04/07/05. Petitioner caused notice of the petition for probate to be served on the persons believed to be the heirs of Daniel Carmen. Pursuant to a letter dated 03/13/12 from Susan Moore, Esq., Counsel for Melanie Sandoval, Petitioner has been informed that Timothy Fife and Scotty Fife have been determined in the Estate of Daniel Carmen, Shasta County Superior Case No. 22663, to not be heirs of Daniel Carmen.

Petitioner requests this Court order that:

1. The administration of this estate be allowed to continue;
2. The first report of petitioner as personal representative be settled, allowed, and approved as filed;
3. All act and proceedings of the petitioner as personal representatives be confirmed and approved;
4. To determine those persons who are entitled to distribution of the estate of Irene June Lowery; and
5. To make any other proper orders.

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 4/30/2001		JERRY GHIDELLI, DEBORAH DANIEL, LINDA RUSS, GLORIA HAMILTON and BRENDA MACIEL, children of the decedent, are petitioners.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 042413, 051513		40 days since DOD.	OFF CALENDAR. Amended Petition filed an set for hearing on 8/20/2013
	Aff.Sub.Wit.	No other proceedings.	
✓	Verified	Decedent died intestate.	1. The inventory and appraisal is incomplete. It does not state whether or not this is all or a portion of the estate. <u>Note:</u> Inventory must contain all of the decedent's property as of the date of death.
✓	Inventory	I & A - \$90,261.00	2. Property tax certificates filed are incomplete. Box 2 a or 2 b was not checked stating whether or not the requirements of section 480 of the Revenue and Taxation Code have been satisfied.
	PTC	X	3. Petitioners state the decedent's spouse died in 2008 and that her 1/15 th interest in the assets was disposed of by Order recorded 11/20/12 doc #2012-0168160. Since the decedent's spouse survived the decedent her estate would be entitled to an intestate share of decedent's estate. Probate Code §6401. – See additional page Declaration of Robert W. Gin filed on 4/22/2013
	Not.Cred.		
✓	Notice of Hrg	Petitioners request Court determination that Decedent's 2/15 interest in real property pass to them in equal shares pursuant to intestate succession.	
✓	Aff.Mail	W/	
	Aff.Pub.		
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✓	Order		
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	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 7/10/2013
			Updates: 7/11/2013
			Recommendation:
			File 5 - Ghidelli

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Page 2**Petitioner seeks to terminate the trust for the following reasons:**

Petitioner states the primary intent for establishment of the trust was *not* the desire to divest assets to qualify for Medi-Cal, but was the intent of Respondent to legally have the assets available for immediate distribution by purporting to qualify Trustor and Decedent for Medi-Cal. By having them establish an irrevocable trust and transfer all of their assets into it, Respondent would accomplish:

- 1) The assets transferred into the trust would be immediately available to be distributed to Respondent pursuant to the terms of the trust;
- 2) Trustor and Decedent would ultimately, but not immediately, qualify for Medi-Cal to pay for their expected long term care;
- 3) Trustor and Decedent could not use their own assets to pay for in-home care in their own home if they wanted to do so;
- 4) Trustor and Decedent could not use their own assets to pay for long term care in an assisted living facility of their choice, a facility that may not have accepted Medi-Cal patients;
- 5) Trustor and Decedent's assets could not be subject to Medi-Cal's right to reimbursement on their deaths.

Petitioner bases the above allegation on the **Declaration of Trustor Frederick A. Worthington (Exhibit 4)**, the trust, the allegations for the petition filed in Santa Clara County by Respondent, and the following:

In Oct/Nov 2011, Trustor fell and sustained a broken hip, which required surgery, rehabilitation, and long term care, which was to be provided in his own home with private services or a care facility. He was initially placed in Horizon Health and Subacute Center in Fresno, and in addition to his hip injury, was also treated for skin and respiratory ailments. During this time, Decedent was also in need of assisted living due to her age and infirmity. Trustor and Decedent had assets of cash in at least two accounts which would disqualify both from qualifying for Medi-Cal benefits so that any long term care would need to be paid from their personal assets.

Petitioner is informed and believes that Respondent realized that unless Trustor and Decedent could qualify for Medi-Cal, all of their personal assets would have to be used for their care and support, and nothing would be left for her to inherit on their deaths. Petitioner is informed and believes that Respondent took it upon herself to contact *The Law Offices of Philip Flanigan* for the purpose of determining if there was a way legally to qualify Trustor and Decedent for Medi-Cal so that their assets could be passed onto Respondent while Medi-Cal would pay for their long term care needs. Mr. Flanigan advised Respondent that they could qualify if they created an irrevocable trust naming someone other than themselves as trustee and income and principal beneficiaries entitled to all of the income and principal of the trust.

Petitioner states that unbeknownst to Trustor and Decedent and without their consent, knowledge, authorization, or approval, Respondent instructed Mr. Flanigan to proceed with preparation of the trust.

Petitioner states Fresno Guest Home, where Trustor currently resides, is part of a Medi-Cal assisted living pilot project, which allows long term care patients to reside in an assisted living facility paid for by Medi-Cal, whereas Medi-Cal would not ordinarily pay for a patient such as Trustor or Decedent to reside in an assisted living facility that is not party of the project.

SEE ADDITIONAL PAGES

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Petitioner is informed and believes and alleges thereon that in order to protect her expected inheritance, Respondent placed Trustor and Decedent in Fresno Guest Home without any discussion or consent.

Petitioner states that prior to executing the trust, Trustor and Decedent never met or talked to Mr. Flanigan, and never discussed with him or with Respondent or anyone else the terms of the trust or the significance of conveying their assets into the trust. On or about 12-28-11, Respondent arranged for Mr. Flanigan to meet with Trustor at his bedside to execute the trust.

Per Declaration of Trustor (Exhibit 4), this date 12-28-11 was when he was first made aware of the trust, and he was told by Respondent to sign the document to protect his assets from Medi-Cal and other creditors. He states in the declaration that he thought she contacted the attorney to make sure that his and his wife's wishes would be carried out pursuant to the terms of their **wills dated 3-3-09**. Petitioner is informed and believes and alleges thereon that prior to signing the trust, Trustor and Decedent were never told that they would lose ownership of their assets once they were transferred to the trust, and that they knew and understood that their assets would immediately become available to Respondent and Petitioner, they would not have executed the trust and allowed their bank accounts to be transferred into the trust.

Petitioner states on that date Respondent also had Trustor execute a General Durable Power of Attorney designating Petitioner and Respondent as Trustor's Attorneys-In-Fact; however, allowing either of them to act alone without the approval or consent of the other. Respondent then arranged to have their accounts transferred to the trust.

Petitioner is informed and believes that because of the value of the accounts that were transferred into the trust, Respondent knew that Trustor and Decedent would not immediately qualify for Medi-Cal, but that she would have immediate access to use the funds for her own benefit. These allegations are based on the fact that Decedent had not qualified for Medi-Cal benefits prior to her death, even though she resided in Fresno Guest Home for several months prior to her death.

During this time, Petitioner states Respondent withdrew approx. \$40,000.00 which she used for her own benefit.

Petitioner states that the family home was not transferred to the trust to qualify for Medi-Cal, but for the sole purpose of giving Respondent immediate access, including the power to sell the home and transfer the net assets to herself.

Petitioner states Trustor qualified for Medi-Cal benefits on 6-14-12 retroactive to 2-1-12 and that Respondent was notified by email from Katie Flanigan, Medi-Cal Case Manager at Quality Life Solutions in Fresno.

Petitioner states the family home is not listed in Schedule A as an asset transferred at establishment of the trust or intended to transfer into the trust.

The trust provides that Petitioner and Respondent are "lifetime beneficiaries" of the trust and the trust give Respondent, for all intent and purposes, an unlimited right to income and principal, including proceeds from the sale of the home. She knew the home was an "except asset" because Trustor intended to return there, and that there was no need to transfer the home to the trust to qualify; however, on 5-11-12, approx. one month after Decedent's death, but not recorded until 2-7-13 – 7 months after Trustor had already qualified for Medi-Cal, the family home was transferred to the trust by **Respondent executing a grant deed as Attorney In Fact for Trustor (Exhibit 3)**.

SEE ADDITIONAL PAGES

Page 3

Petitioner states the grant deed was fraudulently recorded in that the deed declares no documentary transfer tax because the "Grantee is a Trust for the benefit of Grantor," which is patently and expressly false and fraudulent. The trust is not fbo Trustor, but fbo Petitioner and Respondent.

Petitioner states Respondent knows of Trustor's desire to return home, but in order to protect her inheritance, she filed the Petition for Instructions in Santa Clara County Superior Court requesting, among other things, that the Court order the sale of the home and the proceeds distributed to Petitioner and Respondent. Petitioner notes that her petition was filed prior to the date that the Trustor finally qualified for Medi-Cal benefits.

Petitioner states Respondent's acts constitute a violation of undue influence in that she took a grossly oppressive and unfair advantage of the necessities and distress of Trustor by arranging a transfer of all of his assets to the trust, by contacting Mr. Flanigan and by presenting the trust for signature while he was residing in an assisted living facility, Respondent had opportunity to exert undue influence on Trustor. The allegations in her own petition (Exhibit 1) establish the elements of "financial abuse" thereby allowing Trustor to avail himself of the remedies afforded to him under the Elder Abuse and Dependent Adult Civil Protection Act W&I §§ 15600-15675.

Petitioner prays for an order:

- 1. Terminating the WORTHINGTON FAMILY GRANTOR TRUST dated 12-28-11; and**
- 2. That Petitioner and Respondent, as co-trustees, convey to Frederick A. Worthington the real property located at 22561 Auberry Road in Auberry, Fresno County, California.**

Petition for: (1) Order Directing Transfer of Property to Estate; (2) Resulting Trust; (3) Accounting; (4) Constructive Trust; (5) Cancellation of Deed; (6) Declaratory Relief [Prob. C. 850(a)(3)(B)]

Melvin DOD: 09/27/99		J. MICHAEL FARLEY , trustee of the MELVIN AND RUTH FARLEY 1999 TRUST , is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Order.
Ruth DOD: 11/09/11			
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
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	Citation		
	FTB Notice		

<p>Petitioner alleges:</p> <ol style="list-style-type: none"> 1. Melvin and Ruth Farley ("Settlers") were married for 25 years. Before Melvin's death, he and Ruth created Estate plans in 1999, the MELVIN AND RUTH FARLEY 1999 TRUST (the "Trust"). 2. In their plan, Melvin and Ruth Farley created an A/B Trust which contained provisions for the disposition of the community property residence. Section 6.2 of the Trust provides: <i>"The Trustee of the Survivor's Trust shall have the power to sell the community property residence; the proceeds from the sale of the residence shall be distributed one-half to the Survivor's Trust and one-half to the Family Trust, to be administered according to the provisions applicable to those Trusts."</i> 3. The Trust provides that disposition of both the Survivor's Trust and Family Trust are to be allocated: <ul style="list-style-type: none"> • ½ to be distributed equally to Diane Lynn Clark, outright; Stephanie Lynn Clark in trust if under age 35; Michael Clark in trust if under age 35 and if any of these shall predecease the surviving spouse, his or her share shall be distributed to the survivors of them in equal shares. • ½ to be distributed equally to James Michael Farley, Patrick Carter Farley, Frances Anita Rushing, and Susan Clear Williams, outright; and if any of these shall predecease the surviving spouse, his or her share shall be distributed to the survivors of them in equal shares. 4. The Settlor's created their Trust documents in June 1999. Petitioner has personal knowledge that at the time the documents were executed, the attorney supervising the signing of the documents advised and informed Melvin and Ruth of the nature and effect of the Trust documents that were being signed and what would happen upon the death of the first spouse. 	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Reviewed by: JF</td> </tr> <tr> <td>Reviewed on: 07/11/13</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 7 – Farley</td> </tr> </table>	Reviewed by: JF	Reviewed on: 07/11/13	Updates:	Recommendation:	File 7 – Farley
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File 7 – Farley						

5. On 09/27/99, Melvin Farley died, a mere 3 months after the Trust documents had been discussed and signed. At the time of Melvin's death, he and Ruth owned a 20 acre ranch and house in Fowler (the "Ranch"). At the time of his death, title to the Ranch was held by their Estate. **Examiner's Note:** *It appears from the Grant Deed attached as Exhibit B that title to the Ranch was in the name of the Trust.*
6. Upon Melvin's death, Ruth became the sole surviving settlor and trustee of the Trust. In January 2000, Ruth sold the Ranch for approximately \$287,750.00. On 08/31/2000, Ruth purchased a condo in Fresno for approximately \$145,000.00 (the "Condo"), taking title to it as "Ruth L. Farley, a single person".
7. There was about a \$140,000.00 difference between the sales price of the Ranch and the purchase price of the Condo. After the sale of the Ranch, Petitioner is informed and believes that Ruth did not allocate any cash or personal property between the Family and Survivor's Trusts and the Condo was never placed in a Trust.
8. The Trust contains provisions allowing the surviving spouse to sell the Ranch, but the proceeds from the Ranch sale should have been allocated one-half to the Surviving Spouse Trust and one-half to the Family Trust.
9. On 03/05/02, Ruth sold the Condo, signing the Grant Deed as Ruth L. Farley. By signing as an individual, it is clear the Ruth never transferred title to the Condo to the Family or Survivor's Trusts. The sale price of the Condo was approximately \$155,000.00.
10. On or about 10/09/02, Ruth purchased a home in Clovis (the "Clovis Home"), paying \$291,000.00. When she took title to the Clovis Home she did so as "Ruth L. Farley, an unmarried woman".
11. Ruth had received \$155,000.00 from the sale of the Condo and had a balance of \$140,000.00 remaining from the sale of the Ranch, giving her liquid assets of \$295,000.00 when she bought the Clovis Home.
12. Ruth took title to the Clovis Home in her individual name when she purchased it, but on 10/22/02, she signed a new deed so that title was held as "Ruth L. Farley, an unmarried woman and Diane L. Clark, a married woman as her sole and separate property, all as joint tenants". (Diane L. Clark hereinafter referred to as "Clark")
13. On information and belief, Petitioner alleges that Ruth never put the Clovis Home in either the Survivor's or Family Trust and clearly Clark was added to title after Ruth purchased the Clovis Home. Petitioner is informed and believes that Clark did not pay any money to the Family or Survivor's Trust for her interest in the Clovis Home. Upon the death of Ruth, by operation of law, Clark became the sole owner on title to the Clovis Home as her sole and separate property.
14. Although the Trust allows Ruth to draw down on the Family Trust, her ability to do so is not unfettered. Section 7.1 of the Trust provides: *"Distributions During the Surviving Spouse's Lifetime. The Trustee may distribute to the Surviving Spouse all or any portion of the principal of the Family Trust for the Surviving Spouse's reasonable health, education, maintenance, and support in his or her accustomed manner of living. In determining the distributions to be made to the Surviving Spouse under these provisions, the Trustee may take into consideration other income and property available to the Surviving Spouse, including the assets held in the Survivor's Trust."*
15. After Melvin's death, Ruth consulted with a CPA who had handled their joint tax returns. The CPA informed Ruth that she had to honor the terms of the Trust, that the Estate had to be divided into two separate trusts and that she could not simply take real property in her name alone.
16. Shortly thereafter, Ruth took title the property as disclosed by the deeds; her actions in this regard are in bad faith because she knew that she should not take title to the property as an individual as she did, to the detriment of the Family Trust.
17. Diane L. Clark holds title and possession to the Clovis Home. Petitioner as the duly appointed, qualified and acting trustee of the Trust, claims right to title and possession to an undivided ½ interest in the Clovis Home.

Continued on Page 3

18. At the time of her death, Ruth, as former Trustee of the Trust, failed to establish and protect the Trust's interest in the Clovis Home.
19. Petitioner has demanded that Clark recognize and allow Petitioner's undivided ½ interest in the Clovis Home, but she has refused to do so.
20. Pursuant to the terms of the Trust, Ruth Farley should have held title to the Condo and Clovis Home both for the Survivor's Trust and Family Trust. But she did not do so. Petitioner alleges that Ruth misallocated Trust assets and transferred real property to and for the benefit of Clark. Petitioner does not know the precise amount of the misallocation or how Trust assets were spent for the benefit of or given to Clark and this can only be determined by an accounting of what, when and how much Clark received from Ruth. Petitioner believes that Clark owes Petitioner compensation in excess of \$150,000.00. Clark has failed and refused and continues to fail and refuse to make such an accounting or to pay Petitioner the compensation due him.
21. At all material times, Melvin and Ruth Farley had a confidential relationship in that they were married for 25 years and they had created reciprocal estate plans. Neither Melvin or Ruth ever changed the terms of the estate plan they created while they were both living. By virtue of Clark's violation of the relationship of trust and confidence then existing between Petitioner and Ruth, Clark holds title to the Clovis Home as constructive trustee for Petitioner's benefit.
22. Ruth Farley violated her obligations as Trustee of the Trust and failed to take title to the Clovis Home and allocate it as between the Family and Survivor's Trust as she was required to do pursuant to her duties and obligations as the sole surviving trustee of the Trust.
23. On or about 04/16/07, Clark encumbered the Clovis Home with a note in the amount of \$85,000.00. None of this money has been used for the benefit of the Trust.
24. A controversy has arisen and now exists between Petitioner and Clark concerning their respective rights and duties in that Petitioner contends that Ruth Farley, as sole surviving Trustee of the Trust had a fiduciary and legal obligation to ensure that she complied with all the terms of the Trust, including, but not limited to: a) Allocate Trust assets into an A and B or Survivor's and Family Trusts; b) To ensure that all real property purchased with Trust assets remained Trust assets and were allocated to the Survivor or Family Trust as required by the Trust; c) To not gift or give away Family Trust assets; d) To account for and protect the Family Trust beneficiaries interest in the Family Trust assets; e) an undivided ½ interest in the Clovis Home.
25. Clark disputes these contentions and contends that she owns the Clovis Home in fee simple for herself and no one else.
26. Petitioner desires a judicial determination of its rights and duties, and a declaration as to whether the Trust is entitled to an undivided ½ interest in the Clovis Home. A judicial declaration is necessary and appropriate at this time so that Petitioner may ascertain its rights, duties and ownership interest in the Clovis Home as to its sale proceeds or rental income and by guiding the parties' future conduct and administration of the Clovis Home or by lessening the financial or other burdens being caused by this unsettled state of affairs.
27. Petitioner is informed and believes that Clark has already encumbered the Clovis Home with a note in the approximate amount of \$85,000.00.

Petitioner prays for an Order:

1. Directing Diane L. Clark to transfer an undivided ½ interest in the Clovis Home to Petitioner as Trustee of the Trust, and to execute any documents necessary in order to fully complete the transfer;
2. Declaring that Diane L. Clark holds title to the Clovis Home as Trustee of a resulting trust for the benefit of Petitioner, and that Petitioner has equitable title to an undivided one-half in the real property, and that Clark holds title to property to that extent in trust for Petitioner;

Continued on Page 4

3. Declaring that, if Petitioner's interest in the real property is disposed of before this judgment becomes final, Petitioner is the owner of an undivided one-half interest in the proceeds of the real property including the note given in payment for the property and the deed of trust securing it;
4. Order Diane L. Clark to convey to Petitioner forthwith an undivided one-half interest in the Clovis Home or to pay Petitioner one-half of the proceeds of the sale of the property;
5. Ordering that, if the property and its proceeds are disposed of by Clark before the judgment becomes final, Petitioner can recover judgment from Clark an amount equivalent to the value of the Petitioner's interest in the property;
6. For costs of suit herein; and
7. For any other relief the Court deems proper.

Objection of Diane Clark to Petition and Request for Continuance of Trial Date to Conduct Discovery filed 07/11/13
by Diane L. Clark states:

1. Diane L. Clark ("Respondent"), is the owner of certain real property located in Clovis, CA referred to in the Petition as the "Clovis Home".
2. Respondent objects to the relief sought in the Petition on the grounds that the Clovis Home was transferred by right of survivorship upon the death of her mother, Ruth Farley, in accordance with a Joint Tenancy Deed which Ruth Farley knowingly signed intending that Respondent receive the Clovis Home upon Ruth's death in consideration for Respondent's contributions to acquire and maintain the Clovis Home and on account of the care, emotional support and financial assistance provided and agreed to continue to provide to her mother until her death.
3. Respondent objects to the relief sought in the petition on the grounds that it fails to state facts sufficient to constitute a cause of action or other basis for relief against Respondent in that the Petition fails to set forth any factual or legal basis that Respondent owned any duty to Petitioner or the Melvin and Ruth Farley 1999 Trust and, instead, is based on the purported breach of duty, trust or other wrongdoing or Ruth Farley, who is deceased.
4. Respondent objects to the relief sought in the Petition on the grounds that it fails to state facts sufficient to constitute a cause of action or other basis for relief against Respondent in that the petition fails to join an indispensable party, namely the personal representative of Ruth Farley, deceased.
5. Respondent objects to the relief sought in the Petition on the grounds that it fails to state facts sufficient to constitute a cause of action or other basis for relief against Respondent in that Ruth Farley died on 11/09/11 and the Petition is barred by Section 366.2 of the Code of Civil Procedure.
6. Respondent objects to the relief sought in the Petition on the grounds that Petitioner and/or his predecessor knew or had sufficient information to know of Ruth Farley's actions or failure to act as trustee in carrying out the provisions of the Melvin and Ruth Farley 1999 Trust and slumbered on his/her/their rights during Ruth Farley's lifetime. Respondent asserts that the Petition is barred by laches, waiver and/or estoppel.
7. Respondent is informed and believes that the Melvin and Ruth Farley 1999 Trust provided for the use of all the principal and income for the maintenance, care and support of Ruth Farley in a manner to which she was accustomed and that the assets of said Trust were consumed in accordance with provisions thereof at the Trustee's discretion.
8. Respondent objects to the evidentiary and conclusionary allegations contained in the Petition, further specifically denying any allegation of wrongdoing, express or implied, set forth or purported to be set forth in the Petition.
9. Respondent requests that she and her counsel be given 9 months or more to conduct discovery and prepare for a trial in this matter.

Respondent prays that the Petition be denied, that Petitioner take nothing by reason thereof, that Respondent be awarded her costs, including attorney's fees and penalties reciprocal with the claim made by Petitioner, and for such order and further relief as the court deems proper.

Petition for Instruction to Establish Trust Ownership of Financial Accounts

Edith Lola Franchini DOD: 1-2-13		SUSAN L. OAKES and CAROLE D. STEINHAUER , Successor Trustees, are Petitioners.		NEEDS/PROBLEMS/COMMENTS:	
		Petitioners state the following assets were intended to be assets of the trust; however, Edith Lola Franchini failed to transfer title to the above-referenced financial accounts or failed to have the financial institution agents transfer title to the accounts to herself as trustee, although she had expressed a clear intention that such assets were to be included as assets of the trust:		<u>Note:</u> All of the accounts requested to be confirmed to the trust are listed in the Trust Exhibit A as assets of the trust.	
				1. Need order.	
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail		w		
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.				
	Conf. Screen				
	Letters				
	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
	Order		X		
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
	FTB Notice				

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 08/21/2013		<p>GILDA N. WALKER, daughter is petitioner and requests appointment as Administrator with bond set at \$187,115.00.</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate.</p> <p>Residence: Fresno Publication: The Business Journal</p> <p>Estimated value of the Estate:</p> <table> <tr> <td>Personal property -</td> <td>\$75,700.00</td> </tr> <tr> <td>Real property -</td> <td>\$111,415.00</td> </tr> <tr> <td>Total -</td> <td>\$187,115.00</td> </tr> </table> <p>Probate Referee: Steven Diebert</p>	Personal property -	\$75,700.00	Real property -	\$111,415.00	Total -	\$187,115.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 08/16/2013 at 9:00a.m. in Dept. 303 for the filing of the Bond <u>and</u> • Friday, 12/20/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 09/19/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Personal property -	\$75,700.00								
Real property -	\$111,415.00								
Total -	\$187,115.00								
Cont. from									
<input type="checkbox"/>	Aff.Sub.Wit.								
✓	Verified								
<input type="checkbox"/>	Inventory								
<input type="checkbox"/>	PTC								
<input type="checkbox"/>	Not.Cred.								
✓	Notice of Hrg								
✓	Aff.Mail w/								
✓	Aff.Pub.								
<input type="checkbox"/>	Sp.Ntc.								
<input type="checkbox"/>	Pers.Serv.								
<input type="checkbox"/>	Conf. Screen								
✓	Letters								
✓	Duties/Supp								
<input type="checkbox"/>	Objections								
<input type="checkbox"/>	Video Receipt								
<input type="checkbox"/>	CI Report								
<input type="checkbox"/>	9202								
✓	Order								
<input type="checkbox"/>	Aff. Posting								
<input type="checkbox"/>	Status Rpt								
<input type="checkbox"/>	UCCJEA								
<input type="checkbox"/>	Citation								
<input type="checkbox"/>	FTB Notice								

Reviewed by: LV
Reviewed on: 07/10/2013
Updates: 07/11/2013
Recommendation: Submitted
File 9 – Miles

Status Hearing Re: Next Accounting

Age:		NEEDS/PROBLEMS/COMMENTS: <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Second account filed 7-9-13 is set for hearing on 8-14-13.</p>
DOD:		
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	
<input type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: skc
		Reviewed on: 7-11-13
		Updates:
		Recommendation:
		File 10 – Hart

Status Hearing Re: Filing of the First Account or Petition for Final Distribution

DOD: 1-11-10		<p>JENNIE ORONA, Surviving Spouse, was appointed Executor with Full IAEA without bond and Letters issued on 5-10-12.</p> <p>At hearing on 5-3-12, the Court set this status date for filing of the first account or petition for final distribution.</p> <p>Inventory and Appraisal filed 7-31-12 indicated a total estate value of \$201,155.61, which consisted of \$11,372.16 cash, real property, stocks, and 50% interests in vehicles/boat, and misc. personal property.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Decedent's will makes one specific bequest and then devises the residue between his wife and two daughters.</p> <p>1. Need first account or petition for final distribution or written status report pursuant to local rule.</p>	
Aff.Sub.Wit.				
Verified				
Inventory				
PTC				
Not.Cred.				
Notice of Hrg				
Aff.Mail				
Aff.Pub.				
Sp.Ntc.				
Pers.Serv.				
Conf. Screen				
Letters				
Duties/Supp				
Objections				
Video Receipt				
CI Report				
9202				
Order				
Aff. Posting				
Status Rpt				
UCCJEA				
Citation				
FTB Notice				
		Reviewed by: skc		
		Reviewed on: 7-11-13		
		Updates:		
		Recommendation:		
		File 11 – Orona		

12
Atty

Alberto Mora (GUARD/P)
Mora, Miguel (Pro Per – Petitioner – Maternal Grandfather)

Case No. 13CEPR00204

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 1	MIGUEL MORA , maternal grandfather, is petitioner.	NEEDS/PROBLEMS/COMMENTS: Minute Order of 05/13/2013: Lorena Mora is sworn and interprets for the petitioner. The petitioner is directed to provide his current address and telephone number to the clerk forthwith. The Court Investigator is directed to complete her investigation of the parties. The following issues remain: 1. Need Notice of Hearing. 2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none">• Father (Not Listed)• Juana Rosa Mora (Mother)- Unless the Court dispenses with notice. Note: Declaration of Due Diligence filed on 03/13/2013 states petitioner has not seen the mother since June 2012. 3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none">• Paternal Grandparents (Not Listed)• Juana Gonzales (Maternal Grandmother)
	Father: Not Listed	
	Mother: JUANA ROSA MORA , Declaration of Due Diligence filed 03/13/2013	
Cont. from 051313	Paternal Grandparents: Not Listed	
<input type="checkbox"/> Aff.Sub.Wit.	Maternal Grandmother: Juana Gonzales	
<input checked="" type="checkbox"/> Verified	Petitioner states: the child was abandoned and left in petitioner's care since birth. Petitioner would like to keep him in his family and not be part of the state.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/> Conf. Screen	Court Investigator Jennifer Young's report filed 05/03/2013.	
<input checked="" type="checkbox"/> Letters	Court Investigator Jennifer Young's report filed 07/08/2013.	
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
Reviewed by: LV		
Reviewed on: 07/09/2013		
Updates:		
Recommendation:		
File 12 – Mora		

Age: 2	<u>TEMPORARY EXPIRES 07/15/13</u>		NEEDS/PROBLEMS/COMMENTS:
	SHELLY A. MUSGRAVE, paternal grandmother, is Petitioner.		<u>CONTINUED FROM 06/17/13</u> Minute Order from 06/17/13 states: The Court notes for the minute order that mother, Whitnie Carrillo is personally present. The Petitioner is informed that the father needs to be served. Mother objects to the petition and declines to provide her contact information in open court. The Court directs mother to provide her contact information to the Clerk's Office. Matter continued to 07/15/13. The temporary is extended to 07/15/13. 1. Need proof of personal service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: - Whitnie Carrillo (mother) Note: Mother was present in Court on 06/17/13. 2. Need Supplemental CI Report – CI to provide.
	Father: JEREMY B. MUSGRAVE – Consent & Waiver of Notice filed 06/18/13		
	Mother: WHITTIE F. CARRILLO		
	Paternal grandfather: PAUL M. MUSGRAVE – Consent & Waiver of Notice filed 04/17/13		
	Maternal grandfather: JOE P. CARRILLO – Served by mail on 05/03/13		
	Maternal grandmother: TAMMY L. CARMICHAEL – Served by mail on 05/03/13		
	Siblings: NYLAH LANAS (4)		
	Petitioner alleges that both parents are homeless and abuse drugs. Neither is able to care for themselves let alone care for Jaiden. Neither parent has shown an interest in caring for Jaiden.		
	Court Investigator Jennifer Young filed a report on 06/10/13.		
	Jennifer Young filed a supplemental report on 07/12/13.		
Cont. from 061713			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail			
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: JF
			Reviewed on: 07/10/13
			Updates: 07/12/13
			Recommendation:
			File 13 – Musgrave

Age: 6 months		<u>TEMPORARY EXPIRES 07/15/2013</u>		NEEDS/PROBLEMS/COMMENTS:	
		RITA HOLLAND , maternal grandmother, is petitioner.		Minute Order of 05/09/2013: The Court is informed that father is in custody. The petitioner is directed to have father personally served. The Court waives service to father for purposes of the temporary. Court Investigator Samantha Henson to provide: <ul style="list-style-type: none"> • Clearances • CI Report <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Andre Williams (Father) 3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Paternal Grandparents (Not Listed) • Melvin Holland (Maternal Grandfather) 	
		Father: ANDRE WILLIAMS			
		Mother: DOMONIQUE HOLLAND – consents and waives notice.			
Cont. from		Paternal grandparents: Not listed			
	Aff.Sub.Wit.	Maternal grandfather: Melvin Holland			
✓	Verified	Petitioner states mom is giving temporary custody to grandmother to finish her program and court requirements. After mom finishes her requirements she wants custody of her son.			
	Inventory				
	PTC				
	Not.Cred.				
	Notice of Hrg				
	Aff.Mail			X	
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.			X	
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report	X			
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: LV	
				Reviewed on: 07/11/2013	
				Updates:	
				Recommendation:	
				File 14 – Holland	

15A Jovannie Andy Contreras (GUARD/P)
Atty Wright, Debbie (Pro Per- Petitioner – Non Relative)
Atty Izaguirre-Sanchez, Yadira Elsa (Pro Per – Paternal Aunt)
Atty Espinoza, Raquel H. (Pro Per – Paternal Aunt)

Case No. 13CEPR00381

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 10		<u>TEMPORARY EXPIRES 07/15/2013</u>		NEEDS/PROBLEMS/COMMENTS:	
		DEBBIE WRIGHT , non-relative, is petitioner.		15B is the competing petition filed by paternal aunts, Yadira Izaguirre Sanchez and Raquel H. Espinoza.	
		Father: ANDY CONTRERAS			
		Mother: LALAINA DELGADO			
Cont. from		Petitioner states: that she is the ex-girlfriend of the minor's father. She states that on 05/02/2013, Social Worker, Staci Moffatt, appeared at her home and informed her that she is not legally able to administer the minor's daily medication for ADHD and that guardianship would be required. Petitioner alleges that the child's father was arrested at the petitioner's home on 03/10/2013 and currently remains incarcerated on two counts of indecent exposure. The father attended a hearing on 11/10/2011 in Kings County for indecent exposure. Petitioner alleges that the father was exposing himself and masturbating in public where children were present. Petitioner states that the mother left the child when he was nine months old and has only spoken with his mother once in his life. Petitioner alleges that the paternal aunt, Yadira Sanchez, has had the child reside with her at times however the child informed the petitioner that his fifteen year old cousin has been molesting him since he was four years old in his aunt's home.		DSS Social Worker Keith Hodge to provide: <ul style="list-style-type: none"> • Report <ol style="list-style-type: none"> 1. The general petition does not include the Child Information Attachment form GC-210(CA) therefore it is unclear who the child's relatives are and who needs notice. 2. Need Notice of Hearing. 3. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Andy Contreras (Father) • Lalaina Delgado (Mother) 4. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Paternal Grandparents • Maternal Grandparents • Siblings over 12 years of age 	
<input type="checkbox"/>	Aff.Sub.Wit.	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Verified	<input type="checkbox"/>			
<input type="checkbox"/>	Inventory	<input type="checkbox"/>			
<input type="checkbox"/>	PTC	<input type="checkbox"/>			
<input type="checkbox"/>	Not.Cred.	<input type="checkbox"/>			
<input type="checkbox"/>	Notice of Hrg	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff.Pub.	<input type="checkbox"/>			
<input type="checkbox"/>	Sp.Ntc.	<input type="checkbox"/>			
<input type="checkbox"/>	Pers.Serv.	<input checked="" type="checkbox"/>			
<input checked="" type="checkbox"/>	Conf. Screen	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Letters	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Duties/Supp	<input type="checkbox"/>			
<input type="checkbox"/>	Objections	<input type="checkbox"/>			
<input type="checkbox"/>	Video Receipt	<input type="checkbox"/>			
<input type="checkbox"/>	CI Report	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	9202	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Order	<input type="checkbox"/>			
		Court Investigator Julie Negrete's Supplemental Investigator's Report filed 07/10/2013.			
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>		Reviewed by: LV	
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>		Reviewed on: 07/11/2013	
<input checked="" type="checkbox"/>	UCCJEA	<input type="checkbox"/>		Updates:	
<input type="checkbox"/>	Citation	<input type="checkbox"/>		Recommendation:	
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>		File 15A – Contreras	

15A

15B Jovannie Andy Contreras (GUARD/P)
Atty Wright, Debbie (Pro Per-Non Relative)
Atty Izaguirre-Sanchez, Yadira Elsa (Pro Per – Petitioner – Paternal Aunt)
Atty Espinoza, Raquel H. (Pro Per – Petitioner – Paternal Aunt)

Case No. 13CEPR00381

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 10		YADIRA ELSA IZAGUIRRE-SANCHEZ and RAQUEL H. ESPINOZA , paternal aunts are petitioners.	NEEDS/PROBLEMS/COMMENTS:	
		Father: GUADALUPE ANDRES CONTRERAS	5. Need Notice of Hearing.	
		Mother: LENA DELGADO		
Cont. from		Paternal Grandparents: Deceased	6. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Guadalupe Andres Contreras (Father) Lena Delgado (Mother) 	
<input type="checkbox"/>	Aff.Sub.Wit.	Maternal Grandparents: Unknown		
<input checked="" type="checkbox"/>	Verified	<p>Petitioner's state: child father is in custody at Fresno County jail. Petitioners would like guardianship of the child until the father is released as they are the child's family. The mother has not been in the picture and her whereabouts has been unknown since the child has been 9 months old, he is now 10 years old.</p> <p>Attached to the petition is a notarized letter from the child's father stating that his wishes are for his sister, Yadira Elsa Izaguirre-Sanchez, to be the guardian. In the event that Yadira Elsa Izaguirre-Sanchez is unable to perform those duties then he would like his sister Raquel H. Espinoza to act as guardian.</p> <p>Court Investigator Julie Negrete's report filed 07/01/2013.</p>	7. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Maternal Grandparents (Unknown) 	
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			X
<input type="checkbox"/>	Aff.Mail			X
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			X
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: LV	
			Reviewed on: 07/11/2013	
			Updates:	
			Recommendation:	
			File 15B – Contreras	

15B

DOD: 12/19/2012		WESLEY PEARSON , surviving spouse, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		No other proceedings	Minute Order of 06/17/2013: Examiner notes are provided to the Petitioner. The petitioner is directed to cure the defects noted in the examiner notes and pay filing fee.
		Decedent died intestate	
Cont. from 061713			The following issues remain:
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		<ol style="list-style-type: none"> Petition was filed using a fee waiver. A filing fee of \$435 must be paid to the Court prior to signing an order to pass the property. #1 of the petition does not list the petitioner's name. #5a(1) was not answered regarding whether the decedent was survived by children. If the answer to #5a(1) is no children then #6(a) or 6(b) must be answered. Need Attachment #7 setting forth the facts upon which the petitioner bases the allegation that the property should be passed or be confirmed to the petitioner. Attachment #7a of the petition was not provided regarding the description of the property. Need Notice of Hearing and proof of service on all persons entitled. Petition is incomplete therefore it is unclear as to who is entitled. Order is incomplete. Need new Order.
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	x	
<input type="checkbox"/>	Aff.Mail	x	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 07/10/2013
			Updates:
			Recommendation:
			File 16 – Pearson

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Eli Silva (12)		TEMP DENIED 5-23-13 (No appearance) ROSA M. SILVA , Maternal Grandmother, is Petitioner. Father (Eli): Unknown Father (Maria): ANDREW MARQUEZ, JR. (per Court Investigator) Mother: ANACANI SILVA Paternal Grandfather(Eli): Unknown Father (Maria): Not provided Paternal Grandmother: Not provided Maternal Grandfather: Not provided Siblings: Anthony (age 3) Petitioner states: Unstable home, parent is unfit to care for children, there has been gang violence at this home. Children do not want to live with parent. Court Investigator Jennifer Daniel filed a report on 7-8-13.	NEEDS/PROBLEMS/COMMENTS: <u>If this matter goes forward, the following issues exist:</u> 1. Need Duties of Guardian (Form GC-248) 2. Need Confidential Guardian Screening Form (Form GC-212) 3. Need UCCJEA (Form GC-120) 4. Need Notice of Hearing. 5. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Anacani Silva (Mother) - Eli Silva (Minor, age 12) - Eli's father - Maria's father (Andrew Marquez, Jr.) 6. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Eli's paternal grandparents - Maria's paternal grandparents - Maternal Grandfather
Maria Silva (8)			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
	Conf. Screen	X	
	Letters	X	
	Duties/Supp	X	
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA	X	
	Citation		
	FTB Notice		
			Reviewed by: skc Reviewed on: 7-11-13 Updates: Recommendation: File 17 – Silva

Age: 3 years	<p>THERE IS NO TEMPORARY. TEMPORARY WAS DENIED.</p> <p>KELLI MOORE, paternal grandmother, is petitioner.</p> <p>Father: MATHEW GARTON</p> <p>Mom: MELISSA MORA</p> <p>Paternal grandfather: Scott Carroll</p> <p>Maternal grandparents: not listed.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This matter was not reviewed by the examiner based on the Family Court taking jurisdiction.</p>
DOB: 1/19/2010		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Pro Per Quinteros, Caroline (Pro Per Petitioner, maternal grandmother)

**Petition for Appointment of Temporary Guardianship of the Person
(Prob. C. 2250)**

Age: 3 ½ years		<p align="center"><u>General Hearing set for 9/4/2013</u></p> <p>CAROLINE QUINTEROS, maternal grandmother, is Petitioner.</p> <p>Father: UNKNOWN</p> <p>Mother: YVETTE MONICA VASQUEZ; consents and waives notice.</p> <p>Paternal grandfather: Unknown Paternal grandmother: Unknown Maternal grandfather: Deceased</p> <p>Petitioner states the mother has drug problems and instability, and the child lived with Petitioner since birth, with Petitioner providing all financial support and care for the child since his birth. Petitioner states the mother neglected the child but would suddenly just take him, and when Petitioner confronted the mother about her drug issues and neglect of the child, the mother would tell Petitioner to take the child because she did not care for or want the child. Petitioner states at this time, the child and his siblings were taken from the mother by Sacramento CPS, and they were placed with different family members, and although the child was living with Petitioner and her spouse, on 6/18/2013, Petitioner received a phone call from a Sacramento County social worker stating Petitioner had to bring the child back to that county until they decided where they would place him, or the county would issue a warrant on Petitioner and her spouse.</p> <p>Petitioner requests to be excused from giving notice to the father as he is unknown to Petitioner, and the two persons the mother claimed to be the father were found not to be, and the one additional person the mother thinks might be the father is completely unknown to Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: <i>Petition and UCCJEA indicate the child currently lives in Sacramento with a non-relative.</i></p> <ol style="list-style-type: none"> <i>If Court does not excuse notice as requested by Petitioner, need Notice of Hearing and proof of five (5) court days' notice by personal service of the Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence for:</i> <ul style="list-style-type: none"> Unknown father. <i>Item 8 of Confidential Guardian Screening form filed on 7/1/2013 does not include the following attachments:</i> <ul style="list-style-type: none"> <i>Attachment 8 explaining answer re: awareness of reports alleging child abuse, neglect, etc.</i> <i>Attachment 9 explaining answer re: habitual use of illegal substances, or alcohol abuse.</i>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
✓	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg X		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv. X		
✓	Conf. Screen		
<input type="checkbox"/>	Aff. Posting		
✓	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
✓	Order		
✓	Letters		
<input type="checkbox"/>	Status Rpt		
✓	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Age: 1 year		GENERAL HEARING 9/3/2013 CHRISTINE MARTINEZ , paternal grandmother, is petitioner. Father: JULIAN CHRISTOPHER VALENCIA – consents and waives notice. Mother: JESSICA VALENCIA – consents and waives notice. Paternal grandfather: Deceased Maternal grandfather: Deceased Maternal grandmother: Catherine Dolores Medina Petitioner states the mother allowed her to keep the child and signed a consent allowing her to keep the minor however on 6/25/2013 she came and picked up the child stating she had every right to as her mother. On 6/27/2013 Petitioner states she went to where the mother was staying and took the minor with her. Petitioner alleges the mother is abusing drugs. Mom has a history with DSS in Fresno and two of her children have been adopted out due to her chemical dependency. Petitioner states a temporary guardianship is needed to keep the minor safe.	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			N/A
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: KT Reviewed on: 7/11/2013 Updates: Recommendation: File 20 – Valencia				